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RECEIVED IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

ALONZO AUSTIN,

Plaintiff

v.

GLOBAL CONNECTION,

Defendant

CASE NO. 3:07-CV-042-MEF

PLAINTIFF MOTION FOR LEAVE TO OBJECT TO  
MAGISTRATE SCHEDLING ORDER AND TO MODIFY.

COMES NOW, Plaintiff, ALONZO AUSTIN  
and pursuant to Fed. R. CIV. PROC. 16(b)  
respectfully moves this honorable Court,  
for an order granting Plaintiff, Leave of  
Court, to object to Magistrate's Scheduling  
Order Doc. #21-1 filed on May 24, 2007.

and to grant Plaintiff, Motion to Modify  
Paragraph #3 The discovery Plan, OF "THE  
PARTIES 26(f) REPORT". Doc. #16 Filed on 5/9/07  
And as grounds for this motion Plaintiff(s)  
offers the following in support thereof.

1. That Plaintiff, ALONZO AUSTIN, is in disagreement  
with Joshua McKOON, Defendant(s) Counsel  
Discovery Plan, Doc. #16. filed on May 9, 2007, and I  
was not a signatory thereto.

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2. That plaintiff pursuant to Form 35 OF THE FEDERAL RULE OF CIVIL PROCEDURE adds the following sub paragraphs (see below)

3. Discovery Plan.

(a) Discovery will be needed on the following subjects: Contractual Agreement outlining duties and responsibilities of both Customer and Company:

(b) Local and Long distance Tariffs in Alabama with Rates and (Complaints of Customers)

(c) Advertisements: with the Local and Long distance Service plans offered.

(d) Prices, incentives and inducements. Per Package deal.

(e) Termination policy and procedures;

(f) INCOME Tax returns for years 2005 and 2006

(g) Copies of Documents extending free Long distance minutes to plaintiff on December 6, 2005 and January 6, 2006 and invoices offering terms for free Long distance to all current customers with the documentation showing plaintiff accepted terms to receive certain free Long distance minutes after he became a Customer of Global Connection.

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- (h) Copy of the business transaction between MBNA and Global Connection dated 1/06/06 "Card Type master Card" payment electronic Reference # 4977 Charges \$46.99, Acct # 5490 9816 1669 9100.
- (i) Copies of any money orders from Plaintiff.
- (j) Documentation explaining the \$10<sup>00</sup> payment on 12/8/05, Account # 555 01001311, Invoice Date, December 20, 2005.
- (k) discovery on issues for early discovery to be completed by July 15, 2007.
- (l) Discovery commenced in time to be completed by September 1st, 2007.
- (m) Maximum of 20 interrogatories by each party to any other party responses due 15 days after service.
- (n) Maximum of 15 request for admissions by each party to any other party responses due 15 days after service.
- (o) Maximum of 20 production of documents by Plaintiffs and 5 by Defendant.
- (p) Each deposition other than of N/A Limited to maximum of N/A = 0 unless extended by agreement of parties.
- (q) Reports from retained experts under rule 26(a)(2) due from Plaintiff(s) by: N/A = 0 and from Defendant(s) by: N/A = 0.

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(r) Supplementations under Rule 26(e) due. ~~N/A~~

This day 5<sup>th</sup> of June, 2007,

Respectfully Submitted,  
~~Alonzo Austin, pros.~~  
Alonzo Austin, pros.  
ALONZO AUSTIN  
1321 Oliver-Carlier Rd.  
Muskegeer, Ok 36083  
(334) 727-5476

### CERTIFICATE OF SERVICE

I ALONZO AUSTIN, hereby certify that I have served  
copies of the following Documents upon the  
Defendant, Global Connection Inc. of America.

c/o MCKOON THOMAS MCKOON  
925 Broad Street  
P.O. Box 3220

Phoenix City, AZ 36868-3220.

by placing same in the UNITED STATES Mail  
Postage Prepaid on this 5<sup>th</sup> day of June, 2007.

by ~~Alonzo Austin, pros.~~  
by Alonzo Austin  
2007